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**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-II/ JUDGE
SPECIAL COURT ORAKZAI, AT BABAR MELA**

BA No. 35 of 2021
Muhammad Jamal vs State

ORDER
10.03.2021

Learned counsel for the accused/petitioner present.
Mr. Javid Iqbal Anwar, Learned Sr.PP for the State present.

The accused/petitioner Muhammad Jamal s/o Morcha Khan r/o Qoam Shalober Qambar Khel, seeks his post arrest bail in case FIR No.30 dated 05.03.2021 u/s 9-C CNSA of PS Lower Orakzai (Kalaya), wherein the accused/petitioner is charged for the recovery of 300 grams chars from his possession.

Arguments of learned counsel for the accused/petitioner and Sr.PP for the state heard and record perused.

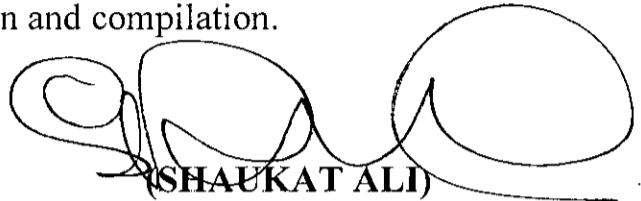
The perusal of record would transpire that the accused/petitioner is charged for having in his possession chars weighing 300 grams punishable u/s 9-C KP CNSA which carries punishment of less than 10 years which does not fall within the prohibitory clause of section 497 CrPC wherein the grant of bail is a rule and refusal is an exception, however there are no exceptional grounds to refuse bail to the accused/petitioner. Furthermore, all the witnesses of the prosecution case are Police officials, hence there is no apprehension that the accused may temper with the prosecution case after his release on bail. The accused/petitioner has already been interrogated in the instant case and no more required for any further investigation, therefore the case of the accused/petitioner is arguable for the grant of bail.


SHAIKAT ALI
Addl. Sessions Judge-II,
Orakzai at Hangu

In view of above, application of accused/petitioner is accepted and he is directed to be released on bail subject to furnishing surety bonds in sum of Rs.100,000/- with two sureties each in the like amount to the satisfaction of this Court.

File of this Court be consigned to record room after its necessary completion and compilation.

Announced
10.03.2021



(SHAUKAT ALI)
Addl; Sessions Judge-II/JSC,
Orakzai at Baber Mela